

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

In re Application of:)
David DeRogatis *et al.*)
Serial No.: 10/613,605)
Filed: July 3, 2003)
For: **FASTENERS, RAILING**)
SYSTEM AND METHOD OF)
ASSEMBLY)

Group Art Unit: 3679
Examiner: Ernesto Garcia

March 20, 2006

Mail Stop: **Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

AMENDMENT UNDER 37 C.F.R. 1.111

In response to the Office Action mailed December 20, 2005, the following amendments and remarks are submitted for the Examiner's consideration. Applicants note that the three month deadline for filing a response to this non-final Office Action is March 20, 2006; thus, this Amendment is timely.

AMENDMENTS TO THE SPECIFICATION

(1) Please amend paragraph [0019] as follows:

[0019] FIG. 3 is a top plan view of ~~the a first embodiment of a fastener for assembling a picket fence according to line 1-1 of FIG. 2.~~

(2) Please amend paragraph [0055] as follows:

[0055] As shown in FIGS. 15, 15A and 15B, the fasteners 200A, 200B are a solid, or alternatively, hollow member having a ball shape. FIG 15 illustrates an isometric view of a spherical fastener 200A, while FIG. 15A illustrates a cross section view of the fastener 200A in FIG. 15 taken along Line 15A-15A. FIG. 15B illustrates a cross section view of a fastener 200B similar to the fastener 200A in FIG 15A, but where the opening 216B of the fastener 200B has been altered to include a cylindrical opening 216B having a countersink. Both fasteners 200A, 200B respectively include a first portion 212A, 212B (i.e., a first engaging ~~surface~~ portion 212A, 212B) for engaging a picket, and a second portion 214A, 214B (i.e., a mating ~~surface~~ portion 214A, 214B) for engaging a second article, such as a rail to which the picket is to be attached. For both fasteners 200A, 200B, a top surface 218A, 218B and an opposite bottom surface 220A, 220B are substantially flat, to facilitate ease of placement and assembly onto a facing surface of an item, e.g., a rail. The fasteners 200A, 200B are desirably fabricated as a single piece of a uniform material for ease of fabrication. Exemplary materials include nylon, plastics, polyvinyl chloride, and other deformable materials including but not limited to synthetic rubber and polyurethane. The fasteners 200A, 200B preferably include a first set of ridges 211A, 211B, respectively, disposed on an exterior surface of the first portion 212A, 212B or first engaging ~~surface~~ portion 212A, 212B thereof, for use in frictionally engaging an interior surface of a

cylindrical opening provided in a longitudinal end of a picket or baluster. The maximum dimensions of the ridges of the fasteners 200A, 200B are preferably selected to be slightly larger than the internal dimensions of the opening in the picket, e.g., by an amount on the order of hundredths of an inch along the diameter of the ridges, such that the ridges frictionally engage the interior surface of the opening in the picket and stay engaged despite stresses that the assembled rail and picket may encounter later. In such case, the fasteners 200A, 200B and/or the ridges 211A, 211B are fabricated of a material and thickness such that some deformation of the ridges and/or the underlying ball occurs upon inserting the fasteners 200A, 200B into the opening of the picket.